

COMMITTEE ON COMMUNITY IMPROVEMENT

August 14, 2006

6:00 PM

Chairman Garrity called the meeting to order.

The Clerk called the roll.

Present: Aldermen Garrity, O'Neil, Osborne, Gatsas, Duval

3. Discussion relative to a communication from Lowell Terrace Associates proposing a mortgage/debt consolidation for property located at the northwest corner of Lowell and Chestnut Streets.

Alderman O'Neil moved for discussion. Alderman Osborne duly seconded the motion.

Mr. Randy Sherman, Deputy Finance Officer, addressed the Board stating let me just give you a quick background on this. This actually is a property on the corner of Lowell and Chestnut Streets, known as Lowell Terrace, the property was fire damaged at one point and back in the mid-80's the City entered into this development rehab project. The project the City took two notes on, the first note was for \$1.250 million that note is currently being paid it's actually been restructured several times and I believe it goes out to 2013 at this point, there is roughly just over a half a million dollars still on that note. The second note was \$250,000 and it was due and payable 20 years from the end of construction, which happened to be May of 2006. The deal on that note was, is that the City would receive half of the cash flow as interest, or net cash flow after operations for interest, those payments have all been made and are up to date, and at the end of the 20 years the City was to receive 50 percent of the fair market value of the property. Again, that has come due it was due in May since that time we have met with the owners and they have put forward a proposal that is included on your agenda to settle up that note. I can tell you that the City staff is in disagreement with that proposal, again it requires 50 percent of fair market value and in what they are offering is to take fair market value deduct the balance of the first note which again is just over \$500,000 make an estimate on what the selling costs would be if the property was to go out for sale and then from that point they are offering the City 50 percent. So therein lies the dilemma and why we are here in

front of the Committee. Again there is a disagreement between the owner and City staff, I think City staff is 100 percent in unison on what the definition of what fair market value is, what we are here in front of the Committee if the Committee would like to make an amendment or have staff work with the owner and amend the note to any extent we will certainly do as the Board desires. But that is why we are here in front of you this evening to figure out what direction you would like us to go.

Chairman Garrity asked Mr. Sherman just so we are all on the same page, what number are we looking at on the back here, the 367 number is that what we are looking at.

Mr. Sherman responded 367 is the offer, now what they did at that time they based the "fair market value" on the assessed value. That assessed value is pre reval and the new value came in at 2,273,000, so almost a million dollars higher than the numbers they were looking, so if you take that and again do it now we are talking \$800,000.

Alderman Gatsas stated isn't this the property that came in three years ago to refinance this deal.

Mr. Sherman responded yes, they were in here in 2001 to try to refinance it and the Board did not accept their proposal at the time and since that time they have just continued to make the monthly payments on the first note, and again at that point we settled up the .

Alderman Gatsas stated my recollection wasn't that we didn't accept the proposal, my recollection is that it sat on the table for about two years and then it was received and filed.

Mr. Sherman stated I believe it was yourself alderman that didn't like the interest rate that was proposed and I want to say it was somewhere around 3 percent, and again it didn't meet with the approval of the Board and as you said it sat around for a while and then ultimately was pulled and went away.

Alderman Gatsas asked if Mr. Sherman could provide some history on what the deal, the actual written deal called for, I don't think that is in here, I don't think we have those documents.

Mr. Sherman responded we can get you all of those documents alderman if you like. But the issue was with the \$250,000 portion was to be repaid as a balloon 20 years following the completed construction which again, that 20 years was May of

2006, I think both parties agree to that. The payment was to be equal to one half of the market value, so the current market value.

Chairman Garrity asked the current market value in May.

Mr. Sherman responded the current market value as of May 2006.

Chairman Garrity stated which is before the new assessments came out.

Mr. Sherman stated no, the assessments were April 1st, and again that's just an estimate the 2.273 million they may appeal, they may look for an adjustment to that amount and again we would have to decide if that is the right number or not or whether the Assessors want to make an adjustment to that or if you want us to actually go out and get it appraised.

Chairman Garrity said earlier you stated that the City staff does not favor this number, of 367.

Mr. Sherman responded the issue is City staff is reading the documents and it requires 50 percent of the fair market value, and that's the position that the staff is taking, that that's the document we don't have the authority to accept anything other than that.

Chairman Garrity asked, what documents are you speak to, the ones that we don't have in our package and we are suppose to make this decision.

Mr. Sherman responded again, we can get you copies of all the notes and agreements if that's what the committee would like.

Chairman Garrity stated I will accept a motion to table this item since we don't have enough information.

Alderman Osborne moved to table the item pending receipt of further information. Alderman Duval duly seconded the motion. The motion carried with none recorded in opposition.

Chairman Garrity stated this is just an example, we need the information to make a decision, and we don't have it, I'm pretty disappointed in that.

Mr. Sherman stated well I guess I'll take the blame for that then, I guess I am trying to figure out what you would like, just copies of the notes themselves.

Chairman Garrity stated I am not speaking for Alderman Gatsas but you probably would like copies of the contract, would you not.

Alderman Gatsas stated if I dug through my paperwork I could probably find that.

Mr. Sherman stated we will gladly do that.

4. Communication from Alderman Duval requesting funding for the installation of fencing around the site of the former Weston Street Fire Station to prevent cut through of speeding vehicles, illegally parked cars and dumping of refuse.

Alderman Duval stated the condition that is cited actually preceded the demolition of the fire house however at this time I am working with neighbors to come up with a resolution, we don't just want to spend money on any kind of fencing to try correct the problem and we are also working with the Superintendent of Parks to come up with a solution, he has helped us out considerably in the are to try to do something at least temporarily, so for now we can table this item.

Alderman Duval moved to table this item. Alderman Osborne duly seconded the motion. There being none opposed, the motion carried.

5. Request of Alderman Forest seeking funding for the rehabilitation of the playground and resurfacing of the basketball court at Blodgett Park.

Deputy Clerk Normand advised that Alderman Forest had called and apologized for not being here tonight, he had to umpire a little league game.

Alderman O'Neil moved for discussion. Alderman Duval seconded the motion.

Chairman Garrity asked if this area was damaged during the floods and would this be covered by FEMA funds.

Mr. Sherman responded no, I don't believe so.

Chairman Garrity stated that's the park that is pretty close to the dam is it not.

Mr. Ludwig, Parks and Recreation Director, responded the road washed out and Highway had money and there was FEMA funds there.

Chairman Garrity stated there was no damage to the park.

Mr. Ludwig responded no.

Alderman O'Neil asked if this was included in the Parks Master Plan, and where is it in the master plan, on the priority list. I thought the CIP pretty much followed.

Mr. Ludwig stated it is in the Master Plan it was probably rated a little higher than what we gave it in our CIP rating though, based on some of the other projects that were in competition with it, it did not get up there in the top nine or so that typically get funded in our projects, it was close but didn't quite make it.

Alderman O'Neil stated alright, so it wasn't included in the two year or one year CIP.

Mr. Ludwig responded two.

Alderman O'Neil asked if they had an idea what the, is there a budget amount, with a quick look without hiring a consultant.

Mr. Ludwig stated we looked at some of the smaller parks we did like at Brown and Mitchell with is now the Pariseau playground. It's similar to that so typically this equipment you are looking somewhere around \$150,000 when we get done.

Alderman O'Neil stated and the only want that this could get done is for another project not to get done.

Mr. DePrima, Deputy Parks and Recreation Director, responded at this point yes.

Alderman Duval stated the area in question has grown dramatically over the years, right, that whole area of Front Street and heading south to Hackett Hill and up Dunbarton Road with apartments what's the closest park.

Mr. Ludwig responded Rock Rimmon.

Alderman Duval stated so it's really not a question of need, I would imagine the Parks Department can argue that there is a need for that area.

Mr. Ludwig stated yes, that really isn't an issue and if you put in the type of equipment that we are putting in today, the new style equipment, based on what we took out of there was really antiquated equipment, you're going see people out of those neighborhoods come there, there is no question.

Chairman Garrity asked, if there is a balance from the other parks projects in the earliest date when would you know that, the ones that were funded currently in CIP.

Mr. DePrima stated once the bids come in usually we have a good idea of what our final numbers are.

Chairman Garrity asked and when are you expecting bids for all those new projects.

Mr. Ludwig stated it would have to be a large one I think Alderman.

Chairman Garrity stated but it could come out of a couple different projects, could it not.

Mr. Ludwig stated it's quite possible, there is no way of telling.

Alderman O'Neil moved to table this item, if they can get back to the committee on where it was on the master plan list. I think that's important we kind of committed that we were going to follow the master plan list as close as we could, it wasn't going to be an exact science but, if it should have been a priority then maybe we should have included it in the CIP.

Chairman Garrity stated I did take a ride over there a week or two ago and it's in shambles.

Alderman O'Neil stated and I think Alderman Duval touched on something important there is not a park in northwest Manchester.

Alderman O'Neil moved to table this item. Alderman Duval duly seconded the motion. There being none opposed the motion carried.

6. Bond Resolution:

“Authorizing Bonds, Notes or Lease Purchases in the amount of Four Hundred Thousand Dollars (\$400,000) for the 2007 CIP 511207, Derryfield Country Club Rehabilitation Project.”

Alderman O'Neil moved for discussion. Alderman Osborne duly seconded the motion.

Alderman O'Neil asked what are we actually doing here.

Planning Director Robert MacKenzie replied this is actually enterprise, Parks and Recreation enterprise money that would be used basically on the golf course, this is not for the building at Derryfield.

Chairman Garrity asked if he needed a brief update.

Alderman O'Neil responded yes, just what the project is.

Mr. Ludwig stated I think if you read in your CIP backup, I'm glad you asked the question because it's a good one, you'd see that these dollars, again going by the master plan that we did in 2000 was kind of earmarked for improvements of the 16th green complex moving it on to Hanover Street and doing some things with that piece of property down there. I guess that you could say that this year was the year that for us at Derryfield that the straw has broken the camel's back in terms of water. We basically, the five holes on the west side of the street stand up fairly well, fairly well to water conditions. With the 20 inches of rain that we had for Mother's Day going forward we really holes, those holes also became unplayable which is something that in 40 years that I played golf there I never really saw it to the extent that it happened. Again, it was 20 inches of rain, are we going to get 20 inches of rain hopefully not every Mother's Day. But the fact of the matter is that we need to do the drainage over from the firehouse all the way to Grant Street which cuts across the four main holes and get some interceptor lines to get water out of there. It's starting to have an effect on our golf professionals ability to make a living putting carts out there. I think soon, you are going to see members that are unhappy because we are sloshing around in mud and the water just isn't moving out of there so if you look back at the Brad Booth master plan you'll find that he actually identifies doing this section of the golf course before we did some of the other visual improvements, green complex on 8, on 12, on 7 and we spent decent money making those improvements. However, the kind of drainage improvements were kind of looked over because we wanted to get the golfer who hadn't really got a lot, a lot, for his money over the years and we've been there for 75 years now, a lot of bang for his buck. So the drainage got pushed off this year, we are in a world of misery and it really needs to be corrected in time.

Alderman O'Neil stated so this would be 7, 9, 10, 11.

Mr. Ludwig responded correct.

Alderman O'Neil stated and that would be a higher priority than what that coming along 17 and I forget the other hole, that has been under normal conditions.

Mr. Ludwig stated you are absolutely correct. The problem with 17, 2, 15 the holes in the peat bog. A much higher ticket number and probably you could be looking at closing a significant part of the golf course down for an extended period of time

Alderman O'Neil stated so am I hearing then that you think for this \$400,000 you may be able to take care of the problem on the western part of the golf course.

Mr. Ludwig stated right, our consultant, we just authorized contracts for him to move forward with some conceptual things because we have to put permits in place to do this work. The consultant is Dubois & King, we've used them on other projects, Piscataquog River Park they were highly involved in, they are a pretty good firm.

Alderman O'Neil asked is there a place for the water to go.

Mr. Ludwig responded absolutely, and one of the things that we will be doing is re-routing it. Right now it all heads towards, I call it the end of Grant Street. We will be re-routing that under probably cutting across seven and getting it into the brook behind the old nursing home, behind the Greek Church. But more importantly, we need to get laterals up those fairways where water just weeps out of the hills and get that water moved down to that valley to get it out of there.

Alderman O'Neil asked if there was some drainage work just done on that side in the last five, six or eight years.

Mr. Ludwig responded we've done a little in house but we pick at it here and we pick at there and we fix a little here and fix a little there, this will take everything from the Fire Station right down and clean it up that's the way to do it, so that a day after rain it will be passable again, right now we are at five days before they are passable.

Alderman O'Neil moved to approve the Bond Resolution. Alderman Osborne duly seconded the motion. There being none opposed the motion carried.

7. Amending resolution and budget authorization authorizing and appropriating funds in the amount of Ten Thousand Dollars (\$10,000) for FY2005 CIP 613205 Downtown & Economic Strategies Project.

Mr. MacKenzie stated this is a grant from the Economic Development Administration and the MEDO has identified several projects to be done with this money and they are applying for another grant for the next fiscal year. But, I can't really speak to all of the specific proposals that they have.

Alderman Osborne moved to approve the resolution and budget authorization. Alderman Duval duly seconded the motion.

Alderman O'Neil asked that Mr. Borek provide a list of what the projects are, noting it would have been helpful if that were included with the package. Chairman Garrity concurred that having the list was important, and requested the Clerk get a list.

There being no further discussion, Chairman Garrity called for a vote. The motion carried with none recorded in opposition.

8. Amending resolution and budget authorization authorizing and appropriating funds in the amount of Four Thousand Five Hundred Dollars (\$4,500) for the FY2007 CIP 214007 Southern NH Area Health Education Center Program.

On motion of Alderman O'Neil, duly seconded by Alderman Gatsas, it was voted to approve the amending resolution and budget authorization.

9. Amending resolution and budget authorization authorizing and appropriating funds in the amount of Seventy Thousand Dollars (\$70,000) for the FY2007 CIP 214107 Community-Based Tobacco Prevention & Control Program.

Alderman Duval moved to approve the resolution and budget authorization. Alderman Osborne duly seconded the motion.

Alderman Gatsas asked if there was any way they could get a list of the projects or what the budget is for planning because when you look at what they are talking about it's about 15 hours a week in a community agency to coordinate a community coalition. And 15 hours a week is \$89.74 an hour.

Ms. Anna Thomas of the Manchester Health Department addressed the committee stated I have the two pages for the budget narrative with me and could supply them for you, and I believe there is an error in that description, it's actually a half

time position it equates to about half time, we would be paying three different individuals through the Makin It Happen coalition, we will be subcontracting out with that organization so it's about a half time position in total.

Alderman Gatsas said, so it's 20 hours a week.

Ms. Thomas responded yes.

Alderman Gatsas said so it's \$61.31 an hour, I don't think we are paying that person that are we.

Ms. Thomas responded it's a breakdown on, the Executive Director is \$25.50 hour, the Operations Director of that organization is \$17.85 hour and the Outreach is \$15.30 an hour, so if you add up all of their hours it's about half time, but they would be a working at different intervals during the week.

Alderman Gatsas stated but I am still at \$61.31 an hour.

Ms. Thomas responded if you total them altogether.

Alderman Gatsas stated no, if I just took the 20 hours a week that the half person's going to be doing that, times 52 weeks, and divide that 1,040 into the \$70,000, it's \$61.31 an hour.

At the request of Alderman O'Neil, Ms. Thomas repeated the amounts previously noted and then stated just to clarify this is a two year grant, so that total of \$70,000 is actually \$35,000 a year.

Alderman Gatsas stated so it's \$33.66 an hour.

Ms. Thomas stated she did not have a calculator but would assume that was what it was.

Alderman Gatsas asked how they get there because there is nobody that earns that, where does the balance go.

Ms. Thomas stated she would have to go over it, I have for salaries and wages \$15,000 for one year and benefits on top of that is \$3,800, so these are my figures I'm not coming out with the same if you were to balance out all of these hours, I would have to sit and go through those numbers to be in concert with what you are saying.

Alderman Gatsas stated the numbers you just gave us is \$18,000 a year.

Ms. Thomas stated actually \$19,000 for the entire year for personnel and expenses.

Alderman Gatsas stated 19 and 19 is 38, and if you are getting 72 that leaves you somewhere in the vicinity of 22, what happens to that 22.

Ms. Thomas responded the remaining dollar amount goes to things like paying for training time for smoking cessation services, educational materials that we are going to be able to put into the schools, if pays for other educational materials that we are going to supply a lot of the community organizations to use. That sort of work and there is a whole narrative I can supply you with that as well.

Alderman Gatsas asked if they had gotten this grant before.

Ms. Thomas replied years ago through tobacco settlement dollars, this is not tobacco settlement money as you know, this is a specific CDC grant which is now something that we have reapplied for. So this coalition was in existence before, it was funded under a different pot of money. So it is basically reinvigorating the coalition and some of the work that was done originally about five years ago.

Alderman Gatsas stated so you will provide us with a breakdown of the 70.

Ms. Thomas responded yes, whatever you need.

Alderman O'Neil asked if they could move it along to the full Board and get the information they need.

Chairman Garrity called for a vote on the motion to approve. There being none opposed, the motion carried.

10. Amending resolution and budget authorization authorizing and appropriating funds in the amount of Five Thousand Five Hundred Thirty Nine Dollars (\$5,539) for the FY2007 CIP 410507 Justice Assistance Grant Program.

On motion of Alderman O'Neil, duly seconded by Alderman Osborne, it was voted to approve the amending resolution and budget authorization.

11. Amending resolution and budget authorization authorizing and appropriating funds in the amount of One Thousand Dollars (\$1,000) for FY2007 CIP 510407 Fun In The Sun Program.

On motion of Alderman Osborne, duly seconded by Alderman O'Neil, it was voted to approve the amending resolution and budget authorization.

12. Amending Resolution and budget authorizations transferring, authorizing and appropriating funds in the amount of Forty Thousand Dollars (\$40,000.00) for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project."

Alderman Osborne moved for discussion. Alderman O'Neil duly seconded the motion.

Alderman Gatsas asked how much money was left in this bucket.

Mr. MacKenzie replied there would be \$15,000 left.

Alderman Gatsas asked how about we earmark the \$15,000 to the playground to start it.

Alderman Garrity asked how much is design going to cost for the playground.

Alderman O'Neil stated I thought the State was paying the entire part of the project for the dam removal.

Mr. MacKenzie stated at this point the City had applied for before and the State had committed to was a 60/40 split they would pay 60% and the City would pay 40%, that is what the staff is going back to get that grant back again, although there is hope that through other grants that a good chunk of the city share could be paid for or reimbursed.

Alderman O'Neil stated when we had the vote to remove the dam I was certainly led to believe that the State money was still there, that's not the case.

Mr. MacKenzie stated he would let the other staff answer, but I was under the impression at least at that meeting that the money was not there but it was likely that we could go back and get that money again.

Alderman O'Neil stated so we could be on the hook for what dollar amount here.

Mr. MacKenzie stated I think the total estimate is \$115,000 for the dam removal.

Alderman O'Neil stated I guess I am the only one sitting here that doesn't remember that.

Chairman Garrity stated I think we discussed it at the last meeting.

Alderman O'Neil stated I missed the last CIP meeting, I don't remember it discussed at the full Board level. I don't think it was intentional, but it was certainly my understanding that it was still going to, if we moved forward, it was still the State money involved. I'm hearing stuff tonight for the first time to be honest with you.

Mr. MacKenzie stated I think the staff would tell you that they would cross their fingers and certainly hope that the money will be there and it's likely going to be there but we can't give you 100 percent certainty tonight.

Mr. DePrima stated three years ago when we were going through the process of deciding what the fate of the dam was going to be in the hopes that we were going to remove it the State had essentially earmarked those funds for a Section 319 non point source pollution grant money. Once the decision was made to save the dam and restore it those funds were no longer available. We are now back into a competitive grant situation with those funds.

Mr. Ludwig stated but let me add as well. If I were sitting on that side I'd say the same thing that I thought this was all going to get paid, and now, the people that we are dealing with are giving us every indication that there is a very good possibility that this is going to get covered either with section 319 money, we've already filled out the pre-application form, we've met with Steve Landry and other people, I think that there is a good chance but we would be remiss if we were sitting here and telling you that there is 100 percent guarantee that it is going to be 100 percent paid for. I think we are going to come pretty close.

Alderman O'Neil asked if it was a grant or reimbursement.

Mr. Ludwig responded grant.

Alderman O'Neil stated so no project will move forward until we know the status of the match, and then it cannot move forward because there is not enough money to move it forward, correct. I mean we shouldn't start engineering and all that if we don't have enough money to do this project.

Mr. DePrima noted that they are under administrative order to do something.

Alderman O'Neil stated I understand that Chuck but it's the one thing that I don't like is when we start projects without complete funding, administrative order or no administrative order. We need to have complete funding and that's my concern this was never explained to me, I don't want to speak for anyone else and I was absent from the last meeting I was on vacation but it was never explained to me that we'd be on the hook for the entire \$115,000 and we did not have a funding source identified for the \$115,000.

Chairman Garrity asked if they had a date when the grant is awarded and we are going to know if we have the money around.

Mr. DePrima responded the grant will be awarded late spring, March.

Alderman O'Neil asked what are we doing with this \$40,000, is it sitting there then we could be putting it to better use immediately on some parks projects or other use, do we need to, in applying for the grant, identify the match.

Mr. DePrima stated yes, this is the money that we are asking for is assuming that we get the 60/40 match, that approximates our 40 percent match, and this would allow us to move forward with engineering.

Alderman O'Neil stated I hate to bring this up but a number of years ago when we put up money for a project on Bridge Street thinking we were getting a match and we never got the match and the project went forward. Do you recall that Alderman Gatsas.

Alderman Gatsas responded I remember that same and I remember the bridge to nowhere the same thing happened.

Alderman O'Neil asked what are we doing tonight, you have already applied for it.

Mr. DePrima stated we have not applied for it, we are in the process right now.

Alderman O'Neil stated so you need on our end to have the match identified.

Mr. DePrima responded yes.

Alderman O'Neil stated we are not going to start any part of this project until we know the status of that grant, correct.

Mr. DePrima stated if that is the will of the committee.

Alderman O'Neil stated I hate starting a project and not have, I'd rather say let's fund the \$115,000 tonight, I don't know where we are going to get it, I don't like starting a project and not having the full amount clearly identified, I think that is wrong.

Chairman Garrity asked if he would put that in the form of a motion.

Alderman O'Neil stated he would but he wanted further discussion.

Alderman Osborne stated if we were to keep that dam and totally renovate that dam weren't we talking somewhere over \$1 million.

Chairman Garrity stated I think Alderman O'Neil makes a good point we are going to commit to something and we don't know if the funding is there.

Alderman Osborne stated if we don't move forward with the \$40,000 then we have to come up with what, \$65,000.

Chairman Garrity stated I think Alderman O'Neil doesn't want the project started until spring.

Alderman O'Neil stated or whenever we, let's put up the \$115,000 then if that's the case.

Alderman Osborne stated we are going to do the project one way or the other is that what you are saying.

Alderman O'Neil responded I'm saying let's do it but before we start anything let's have the money identified. What I'm hearing tonight is we are committing our portion and we don't know if we are going to get the funding but we are going to start the project. That backs us into we've got to come up with the balance, we have no choice then.

Alderman Osborne stated put the \$115,000 aside and go after the funding.

Alderman O'Neil asked where is the 115 coming from.

Alderman Osborne stated he did not know, you said you would come up with the 115.

Alderman O'Neil stated I'll vote to approve the \$40,000 tonight and send it to the full Board but before the project is started or dime one is spent we need to have the entire funding in place. And if the state wants to force the issue then we'll have to come up with the \$115,000 somehow.

Alderman Duval asked if that was going to put us in any kind of bad position.

Director Ludwig responded again, we don't have anything in writing but I think the State is very happy that the project is moving forward the way it is, it's something that they tried very hard to get done the first time. So there is every indication being given to us that the funding. I don't think it is time sensitive, I don't think the dam is going to breach in the next six months, in fact I would say it is not. So I think that we don't have an issue, if the will of the Committee to say sit and get all of the money in place before you start that is fine.

Alderman O'Neil stated Chuck, we need to have as part of the grant application identify our match.

Mr. DePrima responded yes.

Alderman O'Neil moved to approve the \$40,000 the only part with it is that nothing starts with the project until all the funding is identified either with the grant or they will have to come back to the Board for more money. Alderman Duval duly seconded the motion.

Alderman Gatsas asked what is the date of the administrative order.

Mr. DePrima stated December 31, 2007. Once I write a letter to the State Dam Safety Inspector that effectively isn't in place any longer. We now have from now until we get the project moving forward to complete the project.

Alderman Gatsas asked what department in the State is providing the grant.

Mr. DePrima responded the Department of Environmental Services.

There being no further discussion, Chairman Garrity called for a vote. The motion carried with none recorded in opposition.

13. Resolution:

“Authorizing the Finance Officer to effect a transfer of Forty Thousand Dollars (\$40,000) for the 2007 CIP 511407 Black Brook Dam Removal Engineering Project.”

Alderman Osborne moved to approve the resolution. Alderman O’Neil duly seconded the motion. There being none opposed the motion carried.

14. Amending resolution and budget authorization authorizing and appropriating funds in the amount of Thirty Thousand Dollars (\$30,000.00) for the 2007 CIP 511507 Bass Island-Blacksmith Shop Environmental Site Assessment Project.

Alderman O’Neil moved to approve the resolution and budget authorization. Alderman Duval duly seconded the motion. There being none opposed the motion carried.

15. Amending resolution and budget authorizations transferring, authorizing and appropriating funds in the amount of Forty Four Thousand Two Hundred Sixty Nine Dollars and Forty Two Cents (\$44,269.42) for the FY2007 CIP 610407 Housing Rehab/Lead Hazard Control Program.

On motion of Alderman O’Neil, duly seconded by Alderman Gatsas, it was voted to approve the resolution and budget authorizations.

16. Amending resolution and budget authorization authorizing and appropriating funds in the amount of Eleven Million Eight Hundred Sixty Eight Thousand Dollars (\$11,868,000) for FY2007 CIP 712907 Granite Street Widening Project.

Alderman O’Neil moved to approve the resolution and budget authorization. Alderman Osborne duly seconded the motion.

Alderman O’Neil addressed Dennis Anctil stating the \$12,000 comes from something in safety I read quickly in there, does that just go into the work that’s

already committed or will that go I know there was a hole that we were counting on some federal funding to do the last phase of the project.

Mr. Anctil stated this is for the project that is currently underway. Basically the federal highway administration is administering \$15 million and earmarked funding that was provided by Congress those funds are being administered through the Department of Transportation. We need to amend the CIP authorization to account for those monies so we can spend them. We've already received reimbursements in the order of \$4 million from the State out of those funds but now we are in the position where we have to spend those monies and in order to do that Finance is telling us we need to amend the budget authorization to account for those.

Alderman Gatsas asked what is going to be left that's needed to complete the project.

Mr. Anctil responded to complete the two, right now the project is in three components, there is the Granite Street Improvements on the west side of the Merrimack River, that's approximately \$2.8 million and that work has been incorporated into the DOT contract with Middlesex Corporation for the Exit 5 work. The City's contract that is under construction now for the widening of the Granite Street Bridge comes out of that funding. The remaining contract which would be from Commercial Street easterly to Elm Street is what we had requested money for in CIP for this year and that was deferred to a later date with the hope that we could get additional earmark funding.

Alderman Gatsas asked how much was that.

Mr. Anctil stated I believe the request was \$5.5 million.

Alderman O'Neil stated so at one point we thought we were going to be short from Canal to Elm but it appears now we are short from Commercial to Elm.

Mr. Anctil responded that's correct.

Alderman O'Neil stated I know there is significant work there because of the tracks and signalization and all that.

Mr. Anctil stated correct.

Alderman O'Neil noted I was over there today it's starting to change, it's pretty nice.

There being no further discussion, Chairman Garrity called for a vote. There being none opposed the motion carried.

17. CIP Budget Authorization:
411504 Fire Emergency Management Planning – Revision #1

Alderman O'Neil moved to approve the authorization. Alderman Duval duly seconded the motion.

Alderman O'Neil asked what was the date.

Mr. MacKenzie stated I believe it was June 30th of this year.

There being no further discussion, Chairman Garrity called for a vote. The motion carried with none recorded in opposition.

18. Bond Resolution:
“Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000) for the 2007 CIP 511307, JFK Coliseum Rehabilitation Project.”
(Note: referred to Committee by the BMA on August 1, 2006.)

Alderman O'Neil moved for discussion. Alderman Duval duly seconded the motion.

Alderman O'Neil stated I had just suggested and I apologize that I missed this during the budget process but as we saw it on the full Board agenda I know at one point the school district was interested in the site at JFK. If JFK was the sheet of ice was moved to another location, not knowing where that would be and I know there has been a lot of discussion from adding a second sheet of ice on an interim basis at west side to building a brand new facility with maybe two sheets of ice and my only concern was only, not that JFK doesn't need the work and I did speak we had asked Tim Clougherty to do a little bit of leg work to speak with some engineering firms on it and I guess almost that they were all in agreement that they were surprise we had gotten by this long out of it. We spend money on the Rines Center and we here today that it is not big enough and it doesn't, we need to make good business decisions moving forward and if the school district is interested in that site that's great, there has been some talk to consolidate Wilson and Beech Street schools that's great, but before we sink almost \$2 million into it I think

we're hoping to get some kind of idea from the school district on what their plan is not only for that site but other locations around the city so that we can make some good decisions.

Chairman Garrity asked Mr. Ludwig to come forward.

Alderman O'Neil stated it is my understanding that we do have a little bit of time, not a lot, but we do have a little bit of time because it was the department's intent that if they were going to put this out for construction they wouldn't do it until after the end of March or something when ice time would not be used anymore.

Chairman Garrity stated, that's my question timeframe, when do you need a commitment on the project

Mr. Ludwig responded ultimately we would like to put the project out to bid a month before the rink closes in March so the day after we can get a contractor in. What day in March that's going to be I don't know, maybe sooner than later.

Alderman O'Neil stated but you will need to spend some money up front to do some design or something.

Mr. Ludwig responded absolutely.

Alderman O'Neil stated but you have a little bit of time on that, not a lot but a little.

Mr. Ludwig stated not a lot no.

Alderman O'Neil stated right but I'm guessing I can't remember the motion that was made at the full Board I want to say at the end of August hoping for the school district to get back and I think there's a school board meeting tonight so. That's my only issue, it's not that to recognize the importance of JFK it's just I hate to spend the money and next year or in two years they come in and say they need it for a new school.

Chairman Garrity asked the Clerk to get a letter out to the school district from the Committee stating they need some answers.

Alderman Osborne moved to table this item. Alderman O'Neil duly seconded the motion. There being none opposed, the motion carried.

19. Communication from Kevin Sheppard, Deputy Public Works Director, requesting approval to recycle some of the used police cruisers into the existing fleet.

Chairman Garrity stated he spoke with Kevin Sheppard this morning it was just a formality.

On motion of Alderman O'Neil, duly seconded by Alderman Duval, it was voted to approve the request.

20. Petition to discontinue Allard Drive (formerly known as North Turner Street), Chagnon Street, Lumber Lane and Douglas Street.
(Note: Highway Department supports the petition by the State of NH in conjunction with the Granite Street widening project.)

Alderman O'Neil moved to refer the item to a Road Hearing. Alderman Duval duly seconded the motion. There being none opposed the motion carried.

21. Petition for the release and discharge of a portion of Eugene Street.
(Note: Highway Department advises that since over 20 years has lapsed, a simple vote by the BMA would be required to release and discharge the 1972 dedication.)

Alderman O'Neil moved to release and discharge. Alderman Duval duly seconded the motion. There being none opposed the motion carried.

(Note: reconsidered in item 22 and at end of meeting)

22. Petition for the release and discharge of West Mitchell Street and a portion of Wolcott Street.
(Note: Highway Department advises the City may consider discontinuing a portion of West Mitchell Street but subject to a 50' easement for existing and future utilities and further advises that Wolcott Street does not have any public status, therefore, does not need to be released and discharged.)

Alderman O'Neil moved to release and discharge. Alderman Osborne seconded the motion.

Deputy City Solicitor advised that this item needed to properly be a discontinuance not a release and discharge.

Alderman O'Neil so moved to refer the item to a Road Hearing.

Alderman Gatsas asked if it required Lands and Buildings review.

Chairman Garrity responded it was not city property he didn't think.

Alderman Gatsas asked if it was City property.

Deputy Solicitor Arnold responded I believe what they were seeking he says is release and discharge West Mitchell Street and a portion of Wolcott Street, West Mitchell Street my understanding by the materials provided by Highway Department was laid out and used and then relocated so that presumably would be a street even though it is not used as such.

Alderman Gatsas stated I guess I'm questioning the one we did just before that, is that any different.

Deputy Solicitor Arnold asked Eugene Street.

Alderman Gatsas responded yes.

Deputy Solicitor Arnold responded yes, because Eugene Street according to the Highway Department materials was never accepted or built and used for public travel consequently it would be a release and discharge of any public entitlement.

Alderman Gatsas stated does that take that land, does that go to the back piece is that the only access to that parcel.

Mr. Anctil stated that the question is on Eugene Street as to whether that is the only access into that parcel, I don't know that answer. I did not review that plan but we could check into it at this point.

Alderman Gatsas stated I don't know who owns it if he does that that is fine but if not we are land locking somebody, asking if the other abutters had been notified.

Chairman Garrity responded I think that is required.

Deputy Clerk Normand stated yes.

Alderman O'Neil stated this is only a first step.

Chairman Garrity asked Mr. Ancil if he could help out.

Mr. Ancil responded he did not know if it required an action by the full board.

Deputy Solicitor Arnold stated release and discharge is pursuant to a statute which basically says that if a street was laid out and shown on a plan but not built upon, open to public travel or used for public travel at the time that this plan was made up which was 1919 then after 20 years it automatically lost it's public status. With a release and discharge all the property owner is asking is that the Board acknowledge that it's been released from it's public status, it's not a formal action to release an accepted or laid out road.

Alderman O'Neil stated in this particular case Eugene Street this was never laid out as a city street.

Deputy Solicitor Arnold stated it was never laid out that's correct, it was shown upon a plan, but the street was never built according to the highway materials.

Alderman O'Neil asked if he could do a summary of the two different actions, because I'm confused on why we discontinue or actually go out and look at them.

Deputy Solicitor Arnold stated I can do that certainly.

Alderman Gatsas moved to reconsider item 21. Alderman Duval seconded the motion. The motion carried.

Alderman Gatsas moved to table this item.

Alderman O'Neil asked if there was any one department that had responsibility.

Alderman Duval seconded the motion to table. The motion carried.

Chairman Garrity advised they would return to discussion of Item 2 noting Alderman O'Neil had moved to send Mitchell to Road hearing, the other was released and discharged.

Alderman Duval seconded the motion. There being none opposed the motion carried.

23. Communication from Robert Charron submitting a petition on behalf of the residents of 298 through 354 Cohas Avenue requesting extension of the sewer system to this area.

Alderman Osborne asked if Mr. Anctil could address this item.

Mr. Anctil stated the existing sewer that's under construction in the Cohas Ave area is an interceptor sewer that is going to connect the Candia Road area to the interceptor that currently terminates on Hold Avenue. There has basically been several contracts to extend the Cohas Brook interceptor up to that location the most recent of which brings it to Holt Ave this next contract would extend it from Holt Avenue up to Proctor Road and to Candia Road. In doing so that sewer passes on a section of Cohas Avenue, a section of Sibley Terrace, excuse me not Sibley Terrace that's another contract, but Proctor Road and in that area. The adjacent streets to that are not sewered, and this petition requests that sewers through the contract or that consideration be given to putting in sewers on those streets. There are quite a few streets in the general area that do not have sewers. The staff's position is that the interceptor serves as a backbone for the sewer system and the intent is to establish the backbone first and then to go back at a later date and look at the adjacent areas and sewer them.

Alderman Osborne stated so there is no money for this petition.

Mr. Anctil stated there is no money for this petition.

Alderman O'Neil stated so generally speaking if you sewered these streets there is no place for it to go right now.

Mr. Anctil stated you could do it piecemeal but I think the intent is to establish the backbone and then go back later.

Alderman O'Neil stated and that's not uncommon I remember a year or two years ago now Shauna Court and some of the other streets off of Cohas Ave they needed to be built out the problem was it made no sense to build out those streets because there was no place for it to go until the pump station got built, so I know it's kind of like a jig saw puzzle being put together and certain steps have to happen before other things, and it may not be an exact example.

Mr. Anctil stated there are several streets in that area that are not sewered again remnants of Cohas Avenue, Cedar Hill Road portions of Sibley Terrace down in that Island Pond Road area and then up towards Candia Road there are portions of

Garvin Ave, Peabody Ave, Minot Street, Hartt Avenue, Terrace Ave, Medwick all those areas are not sewerred.

Alderman O'Neil stated but they must be somewhere in the master plan to do.

Mr. Anctil stated once the interceptor is complete up to Candia Road then we can go back and look at those areas.

Alderman O'Neil stated and that is the plan that you have been following, is the plan that was laid out I don't know how many years ago now.

Mr. Anctil replied 20 years ago.

Alderman O'Neil stated and you have been following it pretty exact, so this would kind of go away from the plan a little bit.

Mr. Anctil responded that's correct, at the present time we are getting ready to bid the section that would extend the interceptor from Holt Avenue to Candia Road and Proctor Road. Once that is in place then those areas could then be started but those would be separate projects.

Alderman O'Neil asked if anyone had gotten back to the folks about a possible time frame of when, I know what happened cause it's the other side of the highway from the project I talked these people are trying to figure out do they replace septic systems, do they try to get one more year out of it, do you know if Fred or anyone from EPD has reached out to them with a time line.

Mr. Anctil stated I don't know that he has yet, I believe he just prepared a response to the Mayor's office as of last Friday that says that basically identifies to establish the backbone first and then at a later date go back and do these, that remaining piece of interceptor would be done by end of next year if everything goes according to plan. So sometime after that we could go back and sewer these side streets.

Alderman Gatsas stated my understanding the section that you are talking about the other streets that you just talked about Cedar Hill and those they are going down Island Pond Road, those aren't off Cohas Ave.

Mr. Anctil stated no, but they would tie into the sewer that would be bid for construction right now.

Alderman Gatsas stated I think these people have the question, this is from kind of Cohas Ave where it comes just before Island Pond and then comes down there is

only six or seven houses there and I think there is a sewer down at the bottom that's being done now.

Mr. Anctil stated there is a sewer on Cohas Ave but again there is also Cedar Hill Drive and the remainder of Sibley Terrace, so there is a number.

Alderman Gatsas stated that's on Island Pond.

Mr. Anctil stated it is tributary to the same sewer that these other people would look to tie into.

Alderman Gatsas stated right but isn't the sewer on Cohas Ave further down, down by Fallons.

Mr. Anctil brought forward a plan and showed Alderman Gatsas the area and went over the sewer construction process, and stated I believe the petition that's been received is for remaining work on Cohas Avenue show the area on the mapping and noting there is also properties Island Pond Road, Cedar Hill Road and Sibley Terrace that would look to be sewerred. In response to questions from Alderman Gatsas Mr. Anctil continued to review the plans and noted that the intent was to finish the interceptor and then go back and fill in the other sewer areas.

Alderman Osborne asked how long that would be.

Mr. Anctil stated this contract under construction now is essentially done, the next piece would be advertised this fall for construction next year so by the end of 2007 the whole section would be complete.

Alderman O'Neil stated can we just ask Highway to maybe look at the plan and it does make some sense, and I understand what Denis is saying that that's what they have laid out as plan is get the interceptor built, the entire length but it looks like there is maybe a dozen houses that would tie into each one of these sections and why couldn't you roll it into that.

Mr. Anctil stated the question is where do you draw the line and noted that Section C3 was essentially constructed and in the ground. Noting the difference of the 24 inch versus the small 8 inch collector sewers and the intent was to do those at a later date once the complete interceptor is done.

Alderman O'Neil stated so all the Pepsi Road and commercial buildings some of them are on septic.

Mr. Anctil responded no, the commercial buildings are sewerred there are a couple of pumping stations on Pepsi Drive that pump up to the sewer on East Industrial Drive and this contract would eliminate those pump stations.

Alderman O'Neil moved to ask the department just to take a look at it one more time, it doesn't look like major work, everything else, but just to take a look at it Cohas Ave and Sibley, I know the people on the other side of the highway were trying to figure out do they replace their septic system and I think we need to give these people some type of time line.

It was noted that the ones that had petitioned were on septic.

Alderman O'Neil noted that some were on their last legs and he forgot the price to install a new septic system, but it's pretty expensive and this is not a new discussion in the city but anything we can do to help people with some direction might be helpful.

Alderman Gatsas stated so you will set a time frame so we will know when.

Mr. Anctil responded what we can do and this is being done through EPD, and I'm here on behalf of the Highway Department but speaking on behalf of EPD in this particular case what we can do is look through and do a cost estimate of perhaps what it would take to sewer these various areas.

Chairman Garrity stated I believe they would like a time frame.

Alderman O'Neil stated yes, I would just ask the department to look at it again see if they can identify a time line and report back to us and maybe if Fred or somebody could reach out to the main petitioner just so they have some idea.

Alderman Duval duly seconded the motion. There being none opposed the motion carried.

24. Verbal request of Demetrios Kokkinos of 171 Anthony Street, that the City address drainage issues.

Chairman Garrity noted that Mr. Sheppard had spoken to Mr. Kokkinos today so I will look for a motion to receive and file.

Alderman O'Neil noted that Mr. Kokkinos was here, he spoke to Mr. Sheppard one night at a full Board meeting and his concern was that some of this had come out of work Highway had done plus some development of land on Mammoth Road so I think his request is warranted, but if he had a discussion with Mr. Sheppard I'll move to receive and file.

Alderman Osborne seconded the motion. There being none opposed the motion carried.

TABLED ITEMS

25. Petition to discontinue a portion of So. Bedford Street.
(Tabled 07/11/2006. On July 11, 2007, the Board of Mayor and Aldermen voted to refer this matter also to the Special Committee on Riverfront Activities and Baseball.)

This item remained on the table.

Chairman Garrity asked if Alderman Gatsas wished to readdress item 21.

21. Petition for the release and discharge of a portion of Eugene Street.
(Note: Highway Department advises that since over 20 years has lapsed, a simple vote by the BMA would be required to release and discharge the 1972 dedication.)

Alderman Gatsas moved to remove item 21 from the table. Alderman O'Neil seconded the motion. The motion carried.

Alderman Gatsas asked Mr. MacKenzie to address the committee.

Mr. MacKenzie stated we did verify that the property at the end of the old paper street is a large lot and it has a large frontage on Goffstown Road, it has about 400 feet of frontage on Goffstown Road.

Alderman Gatsas moved to release and discharge the portion of Eugene Street. Alderman O'Neil duly seconded the motion. There being none opposed the motion carried.

There being no further business to come before the Committee, on motion of Alderman O'Neil, duly seconded by Alderman Duval it was voted to adjourn.

A True Record. Attest.

Clerk of Committee